

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
(HARRISBURG)**

In Re:	:
	:
Wesley Matthew Kunkel	: Chapter 13
	: Case No. 1:23-bk-01205-HWV
	:
	:
Debtor	: 11 U.S.C. §362(d) and §1301
	:
US Bank Trust National Association,	:
Not In Its Individual Capacity But Solely	:
As Owner Trustee For VRMTG Asset Trust	:
	:
Movant	:
v.	:
	:
Wesley Matthew Kunkel	:
	: Hearing: February 7, 2024 at 9:30 a.m.
Debtor	:
and	:
	:
Jack N. Zaharopoulos, Esquire	:
Trustee	:
	:
Respondents	:

**STIPULATION RESOLVING MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

THIS matter being opened to the Court by Brian E. Caine, Esquire, of the law office of Parker McCay P.A., attorney for the secured creditor, US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust, (hereinafter “Movant”), upon a Motion for Relief from the Automatic Stay and Co-Debtor Stay as to property more commonly known as 2225 Copenhaffer Rd., Dover, PA 17315; and Michael A. Cibik, Esq. appearing on behalf of Wesley Matthew Kunkel (“Debtor”), and it appearing that the parties have amicably resolved their differences and for good cause shown;

1. As of February 6, 2024, the post-petition arrears are \$4,016.76 – which represents 5 payments of \$868.15 each, due October 1, 2023 through February 1, 2024 with a suspense balance of \$323.99.
2. The Debtor agrees to reimburse the Movant for its attorney fees (\$850.00) and filing costs (\$199.00) for prosecution of the within Motion.

3. The Debtor shall cure the post-petition arrears (\$4,016.76), plus the motion fees and costs (\$850.00 plus \$199.00) over a 6 month period by adding \$844.30 to the regular monthly mortgage payments each due March 1, 2024 through July 1, 2023, and then add \$844.26 to the regular monthly mortgage payment due August 1, 2024.
4. The Debtor will resume regular monthly payments to Movant starting with the September 1, 2024 payment, and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtor shall remit payments directly to Movant as same come due.
5. If the Debtor fails to perform according with the terms of this stipulation, then counsel for the Movant may send Debtors and Debtor's attorney a notice of default (Debtor's attorney to receive the notice by email), and the Debtor shall have 14 days to cure said default. If the default is not timely cured, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay and co-debtor stay as to the mortgaged property herein.
6. If a notice of default is sent, Movant may charge \$100.00 for each notice.

The parties request that the attached Order be approved by the Court.

The undersigned hereby consent to the form and entry of the within Stipulation.

Date: 2/9/2024

/s/Brian E. Caine

Brian E. Caine, Esq.
PARKER McCAY P.A.
9000 Midlantic Drive, Suite 300
Mount Laurel, NJ 08054
BCaine@parkermccay.com
(856) 985-4059
Attorneys for Movant

Date: 2/13/2024

/s/Mike Assad

Mike Assad, Esq.
Michael A. Cibik, Esq.
Cibik Law, P.C.
1500 Walnut Street, Suite 900
Philadelphia, PA 19102
mike.assad@cibiklaw.com
(215) 735-1060
Attorneys for Debtor

/s/Douglas R. Roeder

Concurrence by the Office of the Chapter 13 Trustee
DOUGLAS R. ROEDER, ESQ.